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Attorney for Defendants:
ACAPULCO RESTAURANTS, INC.;
AAC FUNDING IV LLC; THE
MANUFACTURERS LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELBERT MADISON,

Plaintiff,

CASE NO. C04-2440 PVT
Civil Rights

v.

**STIPULATION AND ~~PROPOSED~~ ORDER
FOR DISMISSAL WITH PREJUDICE**

ACAPULCO RESTAURANTS, INC.;
MARINA PLAYA APARTMENTS,
LLC; MANUFACTURER'S LIFE
INSURANCE CO. USA; and DOES
1 through 25, Inclusive,

Defendants.

_____ /

IT IS HEREBY STIPULATED BY ALL PARTIES THROUGH THEIR COUNSEL OF
RECORD AS FOLLOWS:

1. The parties have reached a settlement as to all of
plaintiff's claims for injunctive relief, damages, attorney

Stipulation and Order for Dismissal:
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1 fees, litigation expenses and costs. The agreement has been
2 memorialized in a separate Consent Decree and Order which was
3 signed by the Court on October 4, 2005.

4 2. The payment of damages and attorney fees has been made
5 by defendants without any admission of liability. Pursuant to
6 the terms of the Consent Decree and Order, the Court has
7 retained continuing jurisdiction to enforce the injunctive
8 relief terms.

9 3. The parties therefore agree that, subject to the
10 court's continuing jurisdiction under the Consent Decree, the
11 action shall be dismissed with prejudice.

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13 Dated: October 5, 2005

PAUL L. REIN
PATRICIA BARBOSA
JULIE MCLEAN
LAW OFFICES OF PAUL L. REIN

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16 /s/ Julie McLean
17 Attorneys for Plaintiff
ELBERT MADISON

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19 Dated: October 5, 2005

KELLY F. CANBY
ROBERTS, RASPE & BLANTON, LLP

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22 /s/ Kelly F. Canby
23 Attorneys for Defendants
ACAPULCO RESTAURANTS, INC.;
24 AAC FUNDING IV LLC; THE
MANUFACTURERS LIFE INSURANCE
25 COMPANY

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ORDER

Pursuant to stipulation, and for good cause shown, **IT IS SO ORDERED.** The Court will retain jurisdiction to enforce the Consent Decree and Order, and the action is hereby dismissed with prejudice.

Dated: 10/6/05


Hon. Patricia V. Trumbull
U.S. Magistrate Judge